

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

ISRAEL VALADEZ HERNANDEZ  
*Plaintiff,*

v.

ERIC RAYON HOOKS, INDIVIDUALLY AND  
ERIC RAYON HOOKS DBA HOOKS  
TRANSPORTATION  
*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION No. \_\_\_\_\_

**DEFENDANT'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C.A. §§ 1332 and 1446, Defendant **ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION** (hereinafter "Defendant") gives notice to this Court of the removal of the case styled *Israel Valadez Hernandez v. Eric Rayon Hooks, Individually and Eric Rayon Hooks dba Hooks Transportation*, Cause No. 15-02-00028-CVL in the 218<sup>th</sup> Judicial District Court of La Salle County, Texas, to the United States District Court for the Southern District of Texas, Laredo Division, and would respectfully show as follows:

**I. NATURE OF THE CASE**

1. This case relates to alleged personal injury damages that Plaintiff **ISRAEL VALADEZ HERNANDEZ** claims to have suffered in a motor vehicle accident with Defendant on or about February 23, 2013.

**II. PROCEDURAL HISTORY**

2. Plaintiff filed this suit on February 25, 2015, in the 218<sup>th</sup> Judicial District Court of La Salle County, Texas. Plaintiff filed an amended petition on April 30, 2015, in the 218<sup>th</sup> Judicial District Court of La Salle County, Texas. Plaintiff's Amended Petition seeks monetary

damages in excess of \$75,000, specifically seeking relief of over \$200,000 but not more than \$1,000,000, costs of court, and pre- and post-judgment interest. Plaintiff's Amended Petition was filed on April 30, 2015 within one (1) year from the commencement of this case on February 25, 2015.

3. According to the Amended Affidavit of Service filed with the state court, Citation and Plaintiff's Original Petition with Jury Demand and Request for Disclosure was served on the Texas Transportation Commission on March 9, 2015. Defendant personally received service of process by mail on March 16, 2015.

4. Defendant answered the suit on March 27, 2015.

### **III. REMOVAL BASED ON DIVERSITY JURISDICTION**

5. Defendant files this Notice of Removal pursuant to 28 U.S.C. § 1446 to remove this case to the U.S. District Court for the Southern District of Texas, Laredo Division, because it falls within this Court's diversity subject-matter jurisdiction under 28 U.S.C. § 1332.

6. This Notice of Removal is timely under 28 U.S.C. § 1446(b) and § 1446(c). Plaintiff served the Texas Transportation Commission on March 26, 2014 and Defendant first received service of the suit and citation on April 1, 2014. Plaintiff filed their Amended Petition on April 30, 2015 within one (1) year from the commencement of this case. Thus, under 28 U.S.C. § 1446(b) and § 1446(c), this Notice of Removal is, therefore, within the deadline established under federal law.

7. Removal is proper because there is complete diversity between Plaintiff and Defendant, in accordance with 28 U.S.C. § 1332(a), as follows:

- a) Plaintiff is a citizen of Texas.
- b) Defendant is a citizen of California.

- c) The amount in controversy exceeds \$75,000, excluding interest, costs and attorneys' fees. *See* 28 U.S.C. § 1332(a).

**IV. VENUE**

8. Venue of this action is proper in the Southern District of Texas, Laredo Division, because the state court suit is pending in La Salle County, Texas. 28 U.S.C.A. §1441(a).

**V. JURY DEMAND**

9. Plaintiff demanded a jury in the state court.

**VI. NO WAIVER**

10. By virtue of this Notice, Defendant does not waive his right to assert any claims, pleas, or motions, including, if any, pleas in abatement, motions to compel, or motions permitted by Rule 12 of the Federal Rules of Civil Procedure.

**VII. DEFENDANT HAS MET ALL REQUIREMENTS FOR REMOVAL**

11. Defendant has complied with the applicable provisions of 28 U.S.C.A. §1441 *et seq.*, the applicable Federal Rules of Civil Procedure, and the Local Rules in this District. Defendant attaches those materials required to be filed upon removal in accordance with Rule 81 of the Local Rules of the United States District Court, Southern District of Texas. Additionally, the filing fee of \$400.00 has been tendered to the Clerk of the United States District Court for the Southern District of Texas, Laredo Division.

**VIII. ATTACHMENTS**

12. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 81, Defendant attaches the following documents:

Index of matters being filed.

Exhibit "A"

All executed process in the case.

Exhibit "B"

Copy of pleadings asserting causes of action, e.g., petitions, counter-claims, Cross-actions, third-party actions, interventions and all answers to such pleadings.	Exhibit "C"
All Orders signed by the state judge	None
Copy of the State Court Docket Sheet	None
A list of all counsel of record, including addresses, telephone numbers and parties represented.	Exhibit "D"
Copy of the Notice to State Court of Removal to Federal Court	Exhibit "E"

#### **IX. NOTICE TO STATE COURT**

13. Pursuant to 28 U.S.C. § 1446(d), Defendant shall promptly serve a copy of this Notice of Removal on Plaintiff and shall promptly file a copy of this Notice of Removal with the Clerk of the 218<sup>th</sup> Judicial District Court of La Salle County, Texas. A copy of the "Notice to State Court of Removal to Federal Court" that will be filed with the District Clerk of LaSalle County, Texas, Texas is attached as Exhibit "F".

#### **PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Defendant **ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION** prays that this Honorable Court take full jurisdiction of this action as if it had been originally filed in this Court to the exclusion of any further proceedings in the state court, in accordance with law, and for any such other or further relief to which Defendant may show himself justly entitled.

Respectfully submitted,

LAW OFFICE OF MARK E. MACIAS

1100 NORTHWEST LOOP 410, SUITE 370  
SAN ANTONIO, TX 78213-2200  
(210) 949-0166  
(855) 949-1338 FACSIMILE

/s/ MICHAEL J. URBIS

---

MICHAEL J. URBIS  
State Bar No. 20414130  
[urbism1@nationwide.com](mailto:urbism1@nationwide.com)

ATTORNEY FOR DEFENDANT  
**ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC  
RAYON HOOKS DBA HOOKS TRANSPORTATION**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following in accordance with the Federal Rules of Civil Procedure on the \_\_\_\_\_ day of May, 2015.

**Electronically & Facsimile Transmission:210-558-4804**

Wallace M. Brylak, Jr.  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256  
210.733.5533  
210.558.4804 Facsimile  
[wbrylak@brylaklaw.com](mailto:wbrylak@brylaklaw.com)  
*Attorney for Plaintiff*

/s/ MICHAEL J. URBIS

---

MICHAEL J. URBIS

# EXHIBIT 'A'

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

ISRAEL VALADEZ HERNANDEZ  
*Plaintiff,*

v.

ERIC RAYON HOOKS, INDIVIDUALLY AND  
ERIC RAYON HOOKS DBA HOOKS  
TRANSPORTATION  
*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION No. \_\_\_\_\_

INDEX OF MATTERS BEING FILED

Index of matters being filed.	Exhibit "A"
All executed process in the case.	Exhibit "B"
Copy of pleadings asserting causes of action, e.g., petitions, counter-claims, Cross-actions, third-party actions, interventions and all answers to such pleadings.	Exhibit "C"
All Orders signed by the state judge	NONE
Copy of the State Court Docket Sheet	NONE
A list of all counsel of record, including addresses, telephone numbers and parties represented.	Exhibit "D"
Copy of the Notice to State Court of Removal to Federal Court	Exhibit "E"

# EXHIBIT 'B'



USPS.com® - USPS Tracking™

Page 1 of 1

English

Customer Service

USPS Mobile

Register / Sign In



## USPS Tracking™



Customer Service  
Have questions? We're here to help.

Tracking Number: 70141200000212479554

Updated Delivery Day: Sunday, March 8, 2015

## Product &amp; Tracking Information

Postal Product:

Extra Svc:  
Certified Mail™

DATE &amp; TIME

STATUS OF ITEM

LOCATION

March 9, 2015, 7:15 am

Delivered

AUSTIN, TX 78714

Your item was delivered at 7:15 am on March 9, 2015 in AUSTIN, TX 78714.

March 8, 2015, 7:50 am

Available for Pickup

AUSTIN, TX 78714

March 8, 2015, 5:37 am

Arrived at Hub

AUSTIN, TX 78714

## Available Actions

Text Updates

Email Updates

Return Receipt After Mailing

## Track Another Package

Tracking (or receipt) number

Track It

## HELPFUL LINKS

Contact Us

Site Index

FAQs

## ON ABOUT.USPS.COM

About USPS Home

Newsroom

USPS Service Updates

Forms &amp; Publications

Government Services

Careers

## OTHER USPS SITES

Business Customer Gateway

Postal Inspectors

Inspector General

Postal Explorer

National Postal Museum

Resources for Developers

## LEGAL INFORMATION

Privacy Policy

Terms of Use

FOIA


No FEAR Act EEO Data

Copyright © 2015 USPS. All Rights Reserved.

Search or Enter a Tracking Number

https://tools.usps.com/go/TrackConfirmAction?qt\_c\_tLabels1=70141200000212479554

3/12/2015

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>ERIC RAYON. HOOKS, INDIVIDUALLY BY SERVING AGENT TED HOUGHTON, CHAIRMAN TEXAS TRANSPORTATION COMMISSION 125 E. 11TH STREET AUSTIN, TEXAS 78701</p> <p>15-02-00028-CVL</p> <p>2. Article (Frac) 7014 1200 0002 1247 9554</p> <p>PS Form 3811, February 2004</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>A. Signature </p> <p>B. Received by (Printed Name) <u>RANDALL HOOKS</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><u>MAY 15 2015</u></p> <p>TX DEPARTMENT OF TRANSPORTATION</p> <p>If YES, enter delivery address below:</p>		<p>102595-02-M-1540</p>	

UNITED STATES POSTAL SERVICE

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

FILED FOR RECORD  
7:15 o'clock A M.

4 in this box  
MAR 12 2015

*Margarita A. Esqueda*

MARGARITA A. ESQUEDA  
COUNTY & DISTRICT CLERK  
LA SALLE COUNTY, TEXAS  
COURTHOUSE SQ., STE 100  
COTULLA, TEXAS 76901

• Sender: Please print your name, address

USPS.com® - USPS Tracking™

Page 1 of 1

English

Customer Service

USPS Mobile

Register / Sign In



## USPS Tracking™



Customer Service »  
Have questions? We're here to help.

Tracking Number: 70141200000212479554

Updated Delivery Day: Sunday, March 8, 2015

## Product &amp; Tracking Information

Postal Product:

Extra Svc:  
Certified Mail™

DATE &amp; TIME

STATUS OF ITEM

LOCATION

March 9, 2015 , 7:15 am

Delivered

AUSTIN, TX 78714

Your item was delivered at 7:15 am on March 9, 2015 in AUSTIN, TX 78714.

March 8, 2015 , 7:58 am

Available for Pickup

AUSTIN, TX 78714

March 8, 2015 , 5:37 am

Arrived at Hub

AUSTIN, TX 78714

## Available Actions

Text Updates

Email Updates

Return Receipt After Mailing

## Track Another Package

Tracking (or receipt) number

Track It

## HELPFUL LINKS

Contact Us

Site Index

FAQs

## ON ABOUT USPS.COM

About USPS Home

Newsroom

USPS Service Updates

Forms &amp; Publications

Government Services

Careers

## OTHER USPS SITES

Business Customer Gateway

Postal Inspectors

Inspector General

Postal Explorer

National Postal Museum

Resources for Developers

## LEGAL INFORMATION

Privacy Policy

Terms of Use

FOIA

No FEAR Act EEO Data

Copyright © 2015 USPS. All Rights Reserved.

Search or Enter a Tracking Number

https://tools.usps.com/go/TrackConfirmAction?qt\_c\_tlLabels1=70141200000212479554

3/12/2015

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>ERIC RAYON. HOOKS, INDIVIDUALLY BY SERVING AGENT TED HOUGHTON, CHAIRMAN TEXAS TRANSPORTATION COMMISSION 125 E. 11TH STREET AUSTIN, TEXAS 78701</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>RANDALL HOOKS</u> <input checked="" type="checkbox"/> Restricted Delivery</p> <p>C. Date <u>MAR 19 2013</u></p> <p>D. Delivery Point <u>1001</u> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>E. Delivery Address <u>1001</u> <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>15-02-00028-CVL</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article (Trans) <u>7014 1200 0002 1247 9554</u></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt</p>	

102595-02-M-1540

USPS.com® - USPS Tracking™

Page 1 of 2

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)

## USPS Tracking™

Customer Service >  
Have questions? We're here to help.

Tracking Number: 70141200000212479547

Updated Delivery Day: Saturday, March 7, 2015

## Product &amp; Tracking Information

Postal Product:

Extra Svc:  
Certified Mail™

DATE &amp; TIME

STATUS OF ITEM

LOCATION

March 9, 2015, 9:25 am

Delivered

HEREFORD, TX 79045

Your item was delivered at 9:25 am on March 9, 2015 in HEREFORD, TX 79045.

March 7, 2015, 7:43 am

Business Closed

HEREFORD, TX 79045

March 7, 2015, 7:14 am

Sorting Complete

HEREFORD, TX 79045

March 7, 2015, 6:56 am

Arrived at Unit

HEREFORD, TX 79045

March 6, 2015, 9:42 pm

Departed USPS Facility

AMARILLO, TX 79120

March 6, 2015, 2:43 pm

Arrived at USPS Facility

AMARILLO, TX 79120

## Available Actions

[Text Updates](#)[Email Updates](#)[Return Receipt After Mailing](#)

## Track Another Package

Tracking (or receipt) number

[Track It](#)

## HELPFUL LINKS

[Contact Us](#)[Site Index](#)[FAQs](#)

## ON ABOUT.USPS.COM

[About USPS Home](#)[Newsroom](#)[USPS Service Updates](#)[Forms & Publications](#)[Government Services](#)[Careers](#)

## OTHER USPS SITES

[Business Customer Gateway](#)[Postal Inspectors](#)[Inspector General](#)[Postal Explorer](#)[National Postal Museum](#)[Resources for Developers](#)

## LEGAL INFORMATION

[Privacy Policy](#)[Terms of Use](#)[FOIA](#)[No FEAR Act EEO Data](#)

Copyright © 2015 USPS. All Rights Reserved.

[https://tools.usps.com/go/TrackConfirmAction?qt\\_c\\_tLabels1=70141200000212479547](https://tools.usps.com/go/TrackConfirmAction?qt_c_tLabels1=70141200000212479547)

3/18/2015

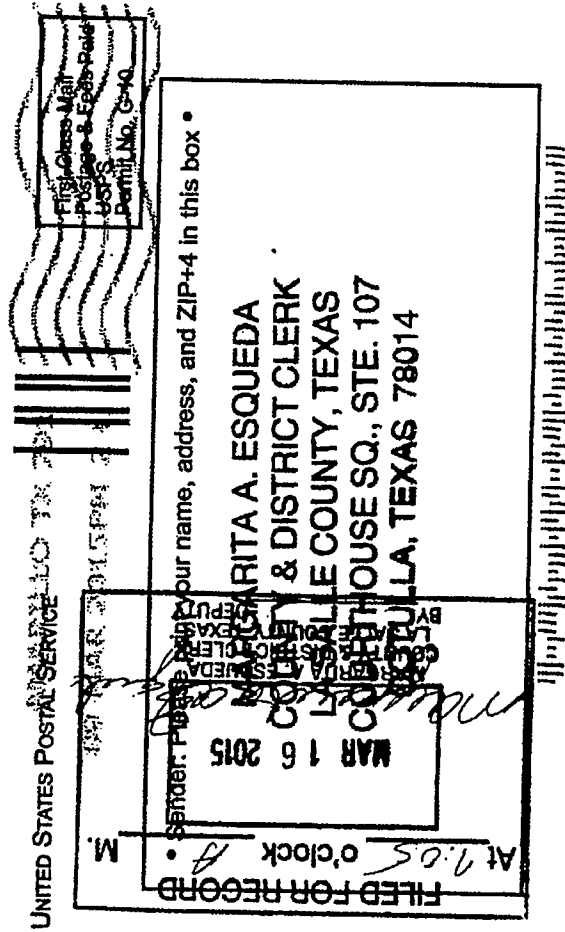
USPS.com® - USPS Tracking™

Page 2 of 2

Search or Enter a Tracking Number

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>HOOKS TRANSPORTATION BY SERVING ITS REGISTERED AGENT ANN SOLOMON ALL STATES TRUCK ACCOUNTING 436 N. SCHLEY HEREFORD, TEXAS 79045</p> <p>15-02-00028-CVL</p>		<p>A. Signature <u>Ann Solomon</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Ann Solomon</u> C. Date of Delivery <u>3/9/15</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>2. <u>15-02-00028-CVL</u></p> <p><u>7014 1200 0002 1247 9547</u></p> <p>PS Form 3811, February 2004</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Domestic Return Receipt</p> <p>102596-02-M-1540</p>			





# EXHIBIT 'C'

## CLERK OF THE COURT

MARGARITA A. ESQUEDA

COURTHOUSE SQUARE STE. 107

COTULLA

TX 78014

## ATTORNEY FOR PLAINTIFF OR PLAINTIFF

WALLACE M. BRYLAK, JR.

15900 LA CANTERA PKWY., STE. 19245

SAN ANTONIO,

## THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you."

To ERIC RAYON HOOKS, INDIVIDUALLY, BY SERVING HIS AGENT TED HOUGHTON, CHAIRMAN  
TEXAS TRANSPORTATION COMMISSION 125 E. 11TH STREET AUSTIN, TX 78701 Defendant, Greeting:

You are hereby commanded to appear by filing a written answer to the Plaintiff's ORIGINAL Petition at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable DISTRICT Court of LA SALLE County, Texas at the Court House of said County in COTULLA, Texas.

Said Plaintiff's Petition was filed in said court on the 25TH day of FEBRUARY A.D. 2015, in this case, numbered 15-02-00028-CVL on the docket of said court, and styled,

ISRAEL VALADEZ HERNANDEZ Plaintiff.

VS. ERIC RAYON HOOKS, IND. AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION Defendant.

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's ORIGINAL Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand seal of said court at COTULLA, Texas this the 4TH day of MARCH A.D. 2015.

Attest: Margarita A. Esqueda Clerk DISTRICT Court,  
MARGARITA A. ESQUEDA  
LA SALLE County, Texas.

By Marisa Villarreal, Deputy.  
MARISA VILLARREAL

ATTACH RETURN RECEIPTS  
WITH  
ADDRESSEE'S SIGNATURE

Rule 106 (a) (2) the citation shall be served by mailing to the defendant by ☒ certified mail. Return receipt requested, a true copy of the Citation.

Sec. 17.027 Rules of Civil Practice and Remedies Code if not prepared by Clerk of Court.

MARISA VILLARREAL DEPUTY CLERK

\* NAME OF PREPARER TITLE

COURTHOUSE SQUARE STE. 107

ADDRESS

COTULLA

TEXAS

78014

CITY

STATE

ZIP

\*If not applicable so state N.A.

## CERTIFICATE OF DELIVERY BY MAIL

I hereby certify that on the 4TH day of MARCH, 2015 at 4:00 o'clock P M., I mailed to ERIC RAYON HOOKS, INDIVIDUALLY

Defendant(s) by registered mail or certified mail, with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the petition attached thereto.

MARISA VILLARREAL

DEPUTY CLERK

TITLE

RECEIVED BY  
MAR 09 2015  
COMMISSION OFFICE

RECEIVED BY  
MAR 09 2015  
COMMISSION OFFICE

CAUSE NO.: 15-02-00028-CVL

ISRAEL VALADEZ HERNANDEZ

VS.

ERIC RAYON HOOKS, INDIVIDUALLY  
AND ERIC RAYON HOOKS DBA  
HOOKS TRANSPORATION

§ IN THE DISTRICT COURT

§ 218<sup>th</sup> JUDICIAL DISTRICT

§  
§  
§  
§ LA SALLE COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Comes Now Plaintiff, Israel Valadez Hernandez complaining of Defendants, Eric Rayon Hooks, Individually and Eric Rayon Hooks DBA Hooks Transportation and for cause of action shows:

**DISCOVERY CONTROL PLAN LEVEL**

1. Plaintiff intends that discovery be conducted under Discovery Level 3.

**PARTIES**

2. Plaintiff, Israel Valadez Hernandez is an individual residing in Laredo, Webb County, Texas.

3. Defendant, Eric Rayon Hooks, is an individual whose last known address is 747 Woodbury Ct., Los Banos, CA 93635. Pursuant to Tex. Civ. Prac & Rem. Code Chap. 17, Subchapter D, service of Process may be obtained on Defendant by serving two (2) copies of this pleading and the citation, issued in the name of the Defendant, Eric Rayon Hooks, Individually, with the Chairman of the Texas Transportation Commission listed as the Agent of Service:

Ted Houghton, Chairman  
Texas Transportation Commission  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701-2483

Upon receipt, the Texas Transportation Commission shall forward a copy of the process to the nonresident motorist by registered or certified mail to:

Eric Rayon Hooks  
747 Woodbury Ct.  
Los Banos, CA 93635

4. Defendant, Eric Rayon Hooks DBA Hooks Transportation is a foreign corporation with its principal offices located in the State of California, and is licensed and registered as an interstate motor carrier. Defendant Eric Rayon Hooks DBA Hooks Transportation engaged in business in the State of Texas by allowing its employee, agent, or servant to operate a motor vehicle on the roads and highways of the State of Texas and in so doing he was involved in a motor vehicle collision with Plaintiff on Interstate 35, La Salle County, Texas. Tex. Civ. Prac. & Rem. Code §§17.041 and 17.042(2). Defendant Eric Rayon Hooks DBA Hooks Transportation filed a form BOC-3 with the Federal Motor Carrier Safety Administration making a blanket designation naming Oklahoma Truck Plates & Process Agents, LLC, its process agent, and Oklahoma Truck Plates & Process Agents, LLC, in turn designated Anna Solomon, All States Truck Accounting, as the process agent for Defendant Hooks Transportation in the State of Texas. Therefore, service of process on Defendant Hooks Transportation, may be made by serving its process agent:

Ann Solomon  
All States Truck Accounting  
436 N. Schley  
Hereford, Texas 79045,

### **JURISDICTION AND VENUE**

5. The subject matter in controversy is within the jurisdictional limits of this court.

6. Venue in La Salle County is proper in this cause under Section 15.002(a) (1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

### **FACTS**

7. Plaintiff, Israel Valadez Hernandez states that on or about October 12, 2013, he was driving a tractor trailer southbound on Interstate 35, in La Salle County Texas. Defendant, Eric Rayon Hooks, a principal and or employee of Hooks Transportation was driving a tractor trailer when he failed to control his speed and maintain a proper lookout. As a result, the vehicle he was operating collided into the vehicle operated by Plaintiff.

Defendants committed acts of negligence and carelessness which were a proximate cause of the injuries and damages to Plaintiff.

### **PLAINTIFF'S CLAIM OF NEGLIGENCE AGAINST ERIC RAYON HOOKS**

8. Defendant Eric Rayon Hooks had a duty to exercise the degree of care that a reasonably careful person would use to avoid harm to others under circumstances similar to those described herein.

9. The negligent, careless, and reckless disregard of the duty of Defendant Eric Rayon Hooks consisted of, but was not limited to, the following acts and omissions:

- a. Failure to control speed; and
- b. Driver inattention.

**PLAINTIFF'S CLAIM AGAINST  
HOOKS TRANSPORTATION**

10. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks was within the course and scope of employment for Defendant, Hooks Transportation.

11. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks was engaged in the furtherance of Defendant, Hooks Transportation's business.

12. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks, was engaged in accomplishing a task for which he was employed.

13. Plaintiff invokes the doctrine of *Respondeat Superior* against Defendant, Hooks Transportation.

14. Defendant, Hooks Transportation failed to properly train its employee, Eric Rayon Hooks.

15. At the time and on the occasion in question and immediately prior thereto, Defendant, Hooks Transportation was guilty of negligent entrustment in that it knew or should have known that Eric Rayon Hooks was a negligent and/or reckless and/or unlicensed driver.

**DAMAGES FOR PLAINTIFF  
ISRAEL VALADEZ HERNANDEZ**

16. Plaintiff, Israel Valadez Hernandez sustained the following actual damages as a result of the actions and/or omissions of Defendant described hereinabove

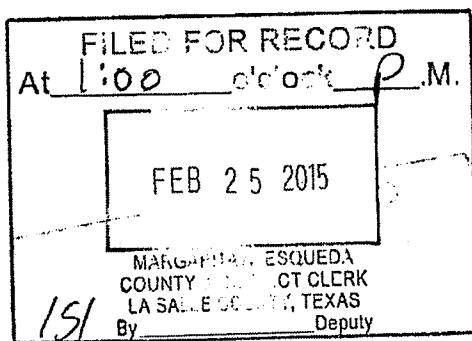
- a. Physical pain and suffering and mental anguish in the past;
- b. Physical pain and suffering and mental anguish in the future;

- c. Physical impairment in the past;
- d. Physical impairment which, in all reasonable probability, will be suffered in the future;
- e. Medical expenses in the past;
- f. Medical expenses in the future;
- g. Lost wages in the past; and
- h. Loss of wage earning capacity in the future.

All of the injuries and damages sustained by Plaintiff were proximately caused by the negligent acts of the Defendants sued herein.

### PRAYER

**WHEREFORE, PREMISES CONSIDERED**, Plaintiff prays that the Defendants be cited and be commanded to appear and answer this lawsuit in the time and manner prescribed by law and that upon final hearing thereon, Plaintiff be awarded a Judgment of and against the Defendants in the sums sued for herein, for costs of Court in this behalf expended, for prejudgment interest on the amount awarded as damages at the legal rate from the date of accident to the date of judgment, and thereafter at the post-judgment rate until paid, and for such other and further relief to which this Plaintiff is entitled in law and in equity and as this Court may deem just and proper.



Respectfully submitted,

**BRYLAK & ASSOCIATES, L.L.C.**  
15900 La Cantera Pkwy., Suite 19245  
San Antonio, Texas 78256  
Tel. (210)733-5533  
Fax. (210)558-4804

By: \_\_\_\_\_

WALLACE M. BRYLAK, JR.  
Texas Bar No. 03283360

*Attorneys for Plaintiff*  
*Israel Valadez Hernandez*

**PLAINTIFF DEMANDS A TRIAL BY JURY**



CAUSE NO. 15-02-00028-CVL

ISRAEL VALADEZ HERNANDEZ	§	IN THE DISTRICT COURT
	§	
V.	§	218 <sup>TH</sup> JUDICIAL DISTRICT
	§	
ERIC RAYON HOOKS, INDIVIDUALLY	§	
AND ERIC RAYON HOOKS DBA	§	
HOOKS TRANSPORTATION	§	LA SALLE COUNTY, TEXAS

**DEFENDANTS' ORIGINAL ANSWER, SPECIAL EXCEPTIONS,  
REQUEST FOR DISCLOSURE, RULE 193.7 NOTICE AND JURY DEMAND**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION, Defendants in the above-entitled and numbered cause, and for answer to the Plaintiff's pleading on file herein, would respectfully show unto the Court as follows:

I.

Subject to such stipulations and admissions as may hereafter be made, Defendants assert a General Denial as is authorized by Rule 92 of the Texas Rules of Civil Procedure, and Defendants respectfully request that the Plaintiff be required to prove the charges and allegations against Defendants by a preponderance of the evidence as is required by the Constitution and the laws of the State of Texas.

**SPECIAL EXCEPTIONS**

II.

Defendants, ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION, object and specifically except generally to Plaintiff's Original Petition in that said pleading is vague, general, and indefinitely fails to fairly apprise Defendants of the amount of money being sought in this case. Defendants move the Plaintiff to

replead stating the maximum amount sought in this case pursuant to Rule 47 of the Texas Rules of Civil Procedure.

III.

Defendants, ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION, further specially excepts to Paragraph 9 of Plaintiff's Original Petition wherein it is alleged that Defendant's acts and omissions "... consisted of, but was not limited to ..." Said allegation is vague and fails to apprise Defendants of the acts and omissions of which they stand charged. Plaintiff should be ordered to replead to delete said phrase from his petition.

**AFFIRMATIVE DEFENSE**

IV.

By way of affirmative defense, Defendants contend that at the time and on the occasion in question, there was a failure on the part of the Plaintiff to exercise that degree of care which an ordinarily prudent person would have exercised under the same or similar circumstances which proximately caused or contributed to any or all of the injuries or damages sustained and Defendants invoke the doctrine of comparative and/or contributory negligence.

V.

By way of further affirmative defense, while continuing to deny liability as indicated above, Defendants contend that the damages and injuries, if any, that Plaintiff, ISRAEL VALADEZ HERNANDEZ, is alleging is the result of a condition(s) existing before, and/or arising subsequent to the alleged occurrence in question and Plaintiff's damages, if any, are the result of a pre-existing and/or subsequent condition, accident, or occurrence, and were not proximately caused by the alleged occurrence in question.

VI.

Defendants further assert that Plaintiff is barred from recovery by the doctrine of proportionate responsibility, or alternatively, that Plaintiff's damages should be reduced by a percentage equal to Plaintiff's percentage of responsibility pursuant to Tex. Civ. Prac. & Rem. Code Sections 33.001 and 33.012.

VII.

Pleading further, if same be necessary, Defendants assert that any recovery of medical expenses by Plaintiff be limited to those amounts that are both reasonable and necessary and actually paid or incurred by or on behalf of the Plaintiff as mandated by Section 41.0105 of the Texas Civil Practice and Remedies Code.

**REQUEST FOR DISCLOSURE**

VIII.

Plaintiff is requested to disclose, within thirty (30) days of service of this request, the information or material described in Rule 194.2(a)-(l) of the Texas Rules of Civil Procedure.

**RULE 193.7 NOTICE**

IX.

Pursuant to Texas Rules of Civil Procedure 193.7, Defendants give notice to Plaintiff that any and all documents and things produced by Plaintiff may be used at any pretrial proceeding and/or the trial of this case without the necessity of authenticating said documents and things.

**JURY DEMAND**

X.

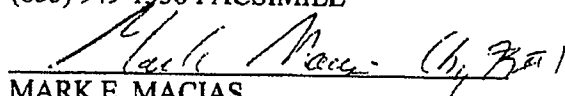
Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Defendants hereby make demand and application for jury trial.

WHEREFORE, PREMISES CONSIDERED, Defendants, ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION, pray that upon final hearing hereof, Defendants have judgment that Plaintiff take nothing by way of this cause of action, and that Defendants go hence without day for costs.

Defendants further pray that the Court grant Defendants' Special Exceptions and that the Plaintiff's pleading be stricken if the Plaintiff fails to replead, or that the Court order such other relief to which Defendants may be justly entitled.

Respectfully submitted,

LAW OFFICE OF MARK E. MACIAS  
1100 NORTHWEST LOOP 410, SUITE 370  
SAN ANTONIO, TX 78213-2200  
(210) 949-0166  
(855) 949-1338 FACSIMILE

  
MARK E. MACIAS  
State Bar No. 00794206  
[maciasm@nationwide.com](mailto:maciasm@nationwide.com)

ATTORNEY FOR DEFENDANT  
ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC  
RAYON HOOKS DBA HOOKS TRANSPORTATION

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following in accordance with the Texas Rules on the 27th day of March, 2015.

Wallace M. Brylak, Jr.  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256  
210.733.5533  
210.558.4804 Facsimile  
*Attorney for Plaintiff*

  
MARK E. MACIAS

CAUSE NO. 15-02-00028-CVL

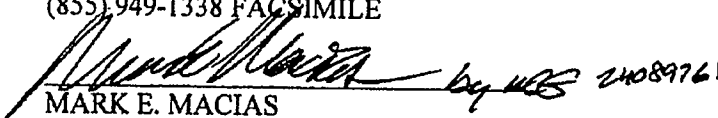
ISRAEL VALADEZ HERNANDEZ	§	IN THE DISTRICT COURT
	§	
V.	§	218 <sup>TH</sup> JUDICIAL DISTRICT
	§	
ERIC RAYON HOOKS, INDIVIDUALLY	§	
AND ERIC RAYON HOOKS DBA	§	
HOOKS TRANSPORTATION	§	LA SALLE COUNTY, TEXAS

**DEFENDANTS' NOTICE OF SETTING OF HEARING ON DEFENDANT'S SPECIAL EXCEPTIONS**

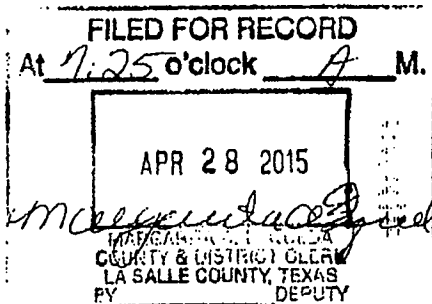
PLEASE TAKE NOTICE: The hearings for the attached Defendants' Notice of Setting of Hearing on Defendants' Special Exceptions is set for the 19<sup>th</sup> day of May, 2015 at 9:00 a.m. in the 218<sup>th</sup> Judicial District Court of La Salle County, Texas.

Respectfully submitted,

LAW OFFICE OF MARK E. MACIAS  
1100 NORTHWEST LOOP 410, SUITE 370  
SAN ANTONIO, TX 78213-2200  
(210) 949-0166  
(855) 949-1338 FACSIMILE

  
MARK E. MACIAS  
State Bar No. 00794206  
[maciasm@nationwide.com](mailto:maciasm@nationwide.com)

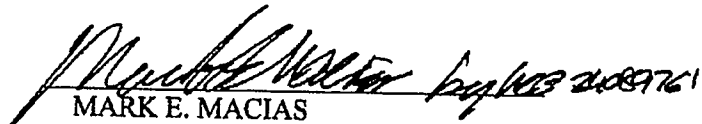
ATTORNEY FOR DEFENDANT  
ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC  
RAYON HOOKS DBA HOOKS TRANSPORTATION



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following in accordance with the Texas Rules on the 22nd day of April, 2015.

Wallace M. Brylak, Jr.  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256  
210.733.5533  
210.558.4804 Facsimile  
*Attorney for Plaintiff*

  
MARK E. MACIAS

LAW OFFICE  
**MARK E. MACIAS**

*EMPLOYEES OF NATIONWIDE MUTUAL INSURANCE COMPANY  
NOT A LEGAL PARTNERSHIP OR PROFESSIONAL CORPORATION*

MARK E. MACIAS  
FREDERICK SAPORSKY, III  
MICHAEL J. URBIS  
M. CHAD WILLIAMS †  
†ALSO LICENSED IN ALABAMA

1100 NORTHWEST LOOP 410  
SUITE 370  
SAN ANTONIO, TEXAS 78213  
TELEPHONE: (210) 949-0166  
TOLL FREE: (800) 253-5746  
FACSIMILE: (855) 949-1338

PARALEGALS  
OLGA BRAVO-ESTES  
PAMELA R. ROBERTSON  
NANCY GODINEZ-CUELLO

April 22, 2015

Margarita Esqueda  
District & County Clerk of La Salle County  
101 Courthouse Square, #107  
Cotulla, TX 78014

Re: Cause Number 15-02-00028-CVL; Israel Valadez Hernandez v. Eric Rayon Hooks,  
Individually and Eric Rayon Hooks dba Hooks Transportation; In the 218<sup>th</sup> Judicial  
District Court of La Salle County, Texas; Our File Number 14-025297

Dear Ms. Esqueda,

Attached please find the original and one copy of the following: DEFENDANTS' NOTICE OF  
SETTING OF HEARING ON DEFENDANTS' SPECIAL EXCEPTIONS. Please filemark and  
return the copy in the self addressed envelope provided.

Thank you for your help in this matter, and should you have any questions, please do not hesitate  
to contact me at 210-390-3554 or my legal assistant, Pam Robertson at 210-390-3542.

Sincerely,



Mark E. Macias

MEM/prr  
Enclosures

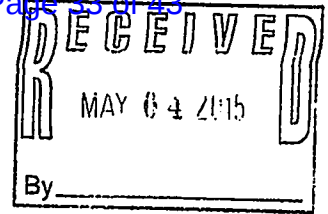
14-025297\Hernandez.2015-04-22 Ltr to Court re Defs Not Hrg on Special Exceptions.docx

Jo Ann Cervantes  
District Clerk of Val Verde County  
April 22, 2015  
Page 2

Cc: **Via Facsimile 210.558.4804**  
Wallace M. Brylak, JR.  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256

14-025297\Hernandez.2015-04-22 Ltr to Court re Defs Not Hrg on Special Exceptions.docx





CAUSE NO.: 15-02-00028-CVL

ISRAEL VALADEZ HERNANDEZ	§	IN THE DISTRICT COURT
	§	
VS.	§	<u>218th</u> JUDICIAL DISTRICT
	§	
ERIC RAYON HOOKS, INDIVIDUALLY	§	
AND ERIC RAYON HOOKS DBA	§	
HOOKS TRANSPORTATION	§	LA SALLE COUNTY, TEXAS

**PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Comes Now Plaintiff, Israel Valadez Hernandez complaining of Defendants, Eric Rayon Hooks, Individually and Eric Rayon Hooks DBA Hooks Transportation and for cause of action shows:

**DISCOVERY CONTROL PLAN LEVEL**

1. Plaintiff intends that discovery be conducted under Discovery Level 3.

**PARTIES**

2. Plaintiff, Israel Valadez Hernandez is an individual residing in Laredo, Webb County, Texas.

3. Defendant, Eric Rayon Hooks, is an individual whose last known address is 747 Woodbury Ct., Los Banos, CA 93635. Pursuant to Tex. Civ. Prac & Rem. Code Chap. 17, Subchapter D, service of Process may be obtained on Defendant by serving two (2) copies of this pleading and the citation, issued in the name of the Defendant, Eric Rayon Hooks, Individually, with the Chairman of the Texas Transportation Commission listed as the Agent of Service:

Ted Houghton, Chairman  
Texas Transportation Commission  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701-2483

Upon receipt, the Texas Transportation Commission shall forward a copy of the process to the nonresident motorist by registered or certified mail to:

Eric Rayon Hooks  
747 Woodbury Ct.  
Los Banos, CA 93635

4. Defendant, Eric Rayon Hooks DBA Hooks Transportation is a foreign corporation with its principal offices located in the State of California, and is licensed and registered as an interstate motor carrier. Defendant Eric Rayon Hooks DBA Hooks Transportation engaged in business in the State of Texas by allowing its employee, agent, or servant to operate a motor vehicle on the roads and highways of the State of Texas and in so doing he was involved in a motor vehicle collision with Plaintiff on Interstate 35, La Salle County, Texas. Tex. Civ. Prac. & Rem. Code §§17.041 and 17.042(2).

#### **JURISDICTION AND VENUE**

5. The subject matter in controversy is within the jurisdictional limits of this court.

6. Venue in La Salle County is proper in this cause under Section 15.002(a) (1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

7. Plaintiff seeks monetary relief over \$200,000.00 but not more than \$1,000,000.00.

#### **FACTS**

8. Plaintiff, Israel Valadez Hernandez states that on or about October 12, 2013, he was driving a tractor trailer southbound on Interstate 35, in La Salle County Texas. Defendant, Eric Rayon Hooks, a principal and or employee of Hooks Transportation was driving a tractor trailer when he failed to control his speed and maintain a proper lookout. As a result, the vehicle he was operating collided into the vehicle operated by Plaintiff.

Defendants committed acts of negligence and carelessness which were a proximate cause of the injuries and damages to Plaintiff.

**PLAINTIFF'S CLAIM OF NEGLIGENCE AGAINST  
ERIC RAYON HOOKS**

9. Defendant Eric Rayon Hooks had a duty to exercise the degree of care that a reasonably careful person would use to avoid harm to others under circumstances similar to those described herein.

10. The negligent, careless, and reckless disregard of the duty of Defendant Eric Rayon Hooks consisted of the following acts and omissions:

- a. Failure to control speed; and
- b. Driver inattention.

**PLAINTIFF'S CLAIM AGAINST  
HOOKS TRANSPORTATION**

11. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks was within the course and scope of employment for Defendant, Hooks Transportation.

12. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks was engaged in the furtherance of Defendant, Hooks Transportation's business.

13. At the time of the subject incident, and immediately prior thereto, Defendant, Eric Rayon Hooks, was engaged in accomplishing a task for which he was employed.

14. Plaintiff invokes the doctrine of *Respondeat Superior* against Defendant, Hooks Transportation.

15. Defendant, Hooks Transportation failed to properly train its employee,

Eric Rayon Hooks.

16. At the time and on the occasion in question and immediately prior thereto, Defendant, Hooks Transportation was guilty of negligent entrustment in that it knew or should have known that Eric Rayon Hooks was a negligent and/or reckless and/or unlicensed driver.

**DAMAGES FOR PLAINTIFF  
ISRAEL VALADEZ HERNANDEZ**

17. Plaintiff, Israel Valadez Hernandez sustained the following actual damages as a result of the actions and/or omissions of Defendant described hereinabove

- a. Physical pain and suffering and mental anguish in the past;
- b. Physical pain and suffering and mental anguish in the future;
- c. Physical impairment in the past;
- d. Physical impairment which, in all reasonable probability, will be suffered in the future;
- e. Medical expenses in the past;
- f. Medical expenses in the future;
- g. Lost wages in the past; and
- h. Loss of wage earning capacity in the future.

All of the injuries and damages sustained by Plaintiff were proximately caused by the negligent acts of the Defendants sued herein.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff prays that the Defendants be cited and be commanded to appear and answer this lawsuit in the time and manner prescribed by law and that upon final hearing thereon, Plaintiff be awarded a Judgment of and against the Defendants in the sums sued for herein, for costs of Court in this behalf expended, for prejudgment interest on the amount awarded as damages at the legal rate from the date of accident to the date of judgment, and thereafter at the post-judgment rate until

paid, and for such other and further relief to which this Plaintiff is entitled in law and in equity and as this Court may deem just and proper.

Respectfully submitted,

**BRYLAK & ASSOCIATES, L.L.C.**  
15900 La Cantera Pkwy., Suite 19245  
San Antonio, Texas 78256  
Tel. (210)733-5533  
Fax. (210)558-4804

By: 

\_\_\_\_\_  
WALLACE M. BRYLAK, JR.  
Texas Bar No. 03283360

*Attorneys for Plaintiff*

**PLAINTIFF DEMANDS A TRIAL BY JURY**


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been forwarded pursuant to the Texas Rules of Civil Procedure on this the 30<sup>th</sup> day of April, 2015 to the following:

*Via telefax transmission to: 210.949.1338*

Mr. Mark E. Macias  
LAW OFFICE OF MARK E. MACIAS  
1100 Northwest Loop 410, Suite 370  
San Antonio, Texas 78213

*Attorneys for Defendant*  
*Eric Rayon Hooks, Individually and*  
*Eric Rayon Hooks, DBA Hooks Transportation*

  
\_\_\_\_\_  
WALLACE M. BRYLAK, JR.

LAW OFFICE  
**MARK E. MACIAS**  
*EMPLOYEES OF NATIONWIDE® MUTUAL INSURANCE COMPANY  
NOT A LEGAL PARTNERSHIP OR PROFESSIONAL CORPORATION*

MARK E. MACIAS  
FREDERICK SAPORSKY, III  
MICHAEL J. URBIS  
M. CHAD WILLIAMS †  
†ALSO LICENSED IN ALABAMA

1100 NORTHWEST LOOP 410  
SUITE 370  
SAN ANTONIO, TEXAS 78213  
TELEPHONE: (210) 949-0166  
TOLL FREE: (800) 253-5746  
FACSIMILE: (855) 949-1338

PARALEGALS  
OLGA BRAVO-ESTES  
PAMELA R. ROBERTSON  
NANCY GODINEZ-CUELLO

May 15, 2015

Margarita Esqueda  
District & County Clerk of La Salle County  
101 Courthouse Square, #107  
Cotulla, TX 78014


Re: Cause Number 15-02-00028-CVL; Israel Valadez Hernandez v. Eric Rayon Hooks,  
Individually and Eric Rayon Hooks dba Hooks Transportation; In the 218<sup>th</sup> Judicial  
District Court of La Salle County, Texas; Our File Number 14-025297

Dear Ms. Esqueda,

This correspondence is to request a copy of the docket sheet in this case and a copy of the  
executed service of citation showing when service was perfected on the Defendant. This can be  
faxed to our office at 855.949.1338 or emailed to my legal assistant, at  
[robertp2@nationwide.com](mailto:robertp2@nationwide.com).

Thank you for your help in this matter, and should you have any questions, please do not hesitate  
to contact me at 210-390-3554 or my legal assistant, Pam Robertson at 210-390-3542.

Sincerely,



Mark E. Macias

MEM/prr

Docket sheet not sent -  
we only put orders on  
them! (aa)

# EXHIBIT 'D'

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

ISRAEL VALADEZ HERNANDEZ  
*Plaintiff,*

v.

ERIC RAYON HOOKS, INDIVIDUALLY AND  
ERIC RAYON HOOKS DBA HOOKS  
TRANSPORTATION  
*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION No. \_\_\_\_\_

LIST OF ALL COUNSEL OF RECORD

Wallace M. Brylak, Jr.  
State Bar #03283360  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256  
210.733.5533  
866.883.5533 Toll Free  
210.558.4804 Facsimile  
[wbrylak@brylaklaw.com](mailto:wbrylak@brylaklaw.com)

ATTORNEYS FOR PLAINTIFF

Michael J. Urbis  
State Bar #20414130  
LAW OFFICE OF MARK E. MACIAS  
1100 Northwest Loop 410, Suite 370  
San Antonio, TX 78213-2200  
210.949.0166  
210.390.3545 Direct Line  
855.949.1338 Facsimile  
[urbism1@nationwide.com](mailto:urbism1@nationwide.com)

ATTORNEY FOR DEFENDANT



# EXHIBIT 'E'

CAUSE NO. 15-02-00028-CVL

ISRAEL VALADEZ HERNANDEZ	§	IN THE DISTRICT COURT
	§	
V.	§	218 <sup>TH</sup> JUDICIAL DISTRICT
	§	
ERIC RAYON HOOKS, INDIVIDUALLY	§	
AND ERIC RAYON HOOKS DBA	§	
HOOKS TRANSPORTATION	§	LA SALLE COUNTY, TEXAS

**NOTICE TO STATE COURT OF REMOVAL TO FEDERAL COURT**

Pursuant to 28 U.S.C. §§ 1332 and 1446, you are hereby notified that on May 20, 2015, Defendant **ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC RAYON HOOKS DBA HOOKS TRANSPORTATION** filed their *Defendants' Notice of Removal* in the United States District Court for the Southern District of Texas, Laredo Division, to remove this state-court proceeding to federal court. A copy of the Notice is attached hereto as Exhibit "A" and should be filed by you with the papers in this cause. Upon the filing of the Notice of Removal, removal has been effected pursuant to 28 U.S.C. §1446(d).

Respectfully submitted,

LAW OFFICE OF MARK E. MACIAS  
1100 NORTHWEST LOOP 410, SUITE 370  
SAN ANTONIO, TX 78213-2200  
(210) 949-0166  
(855) 949-1338 FACSIMILE

/s/ MICHAEL J. URBIS

---

MICHAEL J. URBIS  
State Bar No. 20414130  
[urbism1@nationwide.com](mailto:urbism1@nationwide.com)

ATTORNEY FOR DEFENDANT  
**ERIC RAYON HOOKS, INDIVIDUALLY AND ERIC  
RAYON HOOKS DBA HOOKS TRANSPORTATION**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following in accordance with the Texas Rules on the \_\_\_\_\_ day of May, 2015.

Wallace M. Brylak, Jr.  
BRYLAK & ASSOCIATES, L.L.C.  
15900 La Cantera Parkway, Suite 19245  
San Antonio, TX 78256  
210.733.5533  
210.558.4804 Facsimile  
wbrylak@brylaklaw.com  
*Attorney for Plaintiff*

---

MICHAEL J. URBIS